

REMARKS

Upon entry of the present amendment, Claims 1-21 remain in the application, of which claims 1, 9, and 17, and 21 are independent. The application has been amended herein to add new claim 21.

The applicant gratefully acknowledges the indication by the Examiner that claims 1-16 and 18-20 have been allowed.

Claim 17 has been rejected under 35 USC 103(a) as being unpatentable over Ono et al. (US 4,541,808) in view of Blanchard (US 6,273,768)

After careful consideration of the objections and rejections set forth in the Office Action, applicant respectfully submits that as amended, all pending claims patentably distinguish over the art of record, and requests allowance of all pending claims, as discussed further below.

Claim rejections 35 USC 103

In the above-identified Office Action, claim 17 was rejected under 35 USC 103(a) as unpatentable over Ono et al. in view of Blanchard. The Examiner stated that, in his view, Ono et al disclose the basic claimed structure including a water jet propeller apparatus with a stator defining a channel 22 therein, an impeller 26, a collar 21 with a seal, and an impeller shaft 13. The Examiner further stated that Ono et al does not disclose an impeller shaft threadably connected to the impeller, but Blanchard teaches a threadable connection 32. The Examiner further states that it would have been obvious to form the device of Ono et al. to have a threadable connection, as taught by Blanchard, for improved strength.

The applicant respectfully disagrees with this rejection, since Ono et al do not disclose the basic claimed structure. Ono et al. disclose an impeller 26 threadably secured (see 27) to the outside of a front end of a hollow transmission shaft 21, which is interpreted by the Examiner to

correspond to the applicant's collar structure. Shaft 21 is in turn secured to the drive shaft 13 using splines 30, 32 on an inner surface thereof. Thus Ono et al. fail to disclose an impeller shaft secured to the impeller, as recited in claim 17. Instead, Ono et al. disclose an impeller shaft secured to a transmission shaft 21. Claim 17 further recites the impeller shaft being threadably connected to a rear portion of the impeller. This is not disclosed by Ono et al., who show a threaded portion of an impeller located at a leading, or front, end thereof.

The applicant further disagrees with the Examiner's suggested modification of Ono et al. to have a threadable connection between the impeller shaft and the impeller as taught by Blanchard. Such a modification assumes a direct connection between the impeller 26 of Ono et al. and the drive shaft 13 of Ono et al., but this is not true of the structure disclosed by Ono et al. since the impeller 26 is connected to hollow shaft 21. Because Ono et al. do not disclose the basic structure of the applicant's invention, and because modification of Ono et al. by Blanchard does not remedy the deficiencies of Ono et al., the applicant considers claim 17 to be in condition for allowance.

New claim 21 is being added to the application by the present amendment. New claim 21 corresponds to original claim 17, modified to more distinctly claim the applicant's invention. New claim 21 recites that the rear portion of the impeller is threadably connected to the impeller shaft, as recited in claim 17, and further recites that the front portion of the impeller is connected to the drive shaft.

This feature is not disclosed by Ono et al., who show the impeller as secured to hollow shaft 21, and hollow shaft 21 secured to the drive shaft.

Applicant's claim 21 is fully supported by the applicant's original specification (paragraph 41), and no new matter is added to the specification by this claim.

Conclusion

Based on all of the foregoing, applicant respectfully submits that all of the objections and rejections set forth in the Office Action are overcome, and that as presently amended, all of the pending claims are believed to be allowable over all of the references of record, whether considered singly or in combination.

Applicant requests reconsideration and withdrawal of the rejection of record, and allowance of the pending claims.

If the Examiner is not fully convinced of all of the claims now in the application, applicant respectfully requests that the Examiner telephonically contact applicant's undersigned representative to expeditiously resolve any remaining issues in the prosecution of the application.

The Commissioner is hereby authorized to charge the \$88.00 fee for one independent claim in excess of three to Deposit Account 50-0744 in the name of Carrier, Blackman & Associates, P.C. A duplicate copy of this sheet is enclosed.

Favorable consideration is respectfully requested.

Customer No. 21828
Carrier, Blackman & Associates, P.C.
24101 Novi Road, Suite 100
Novi, Michigan 48375
October 19, 2004

Respectfully submitted,

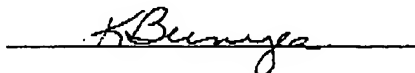


William D. Blackman
Attorney for Applicant
Registration No. 32,397
(248) 344-4422

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted, via facsimile, to Examining Group 3617 of the United States Patent and Trademark Office on October 19, 2004, at the number (703) 872-9306.

WDB/kmm



Conclusion

Based on all of the foregoing, applicant respectfully submits that all of the objections and rejections set forth in the Office Action are overcome, and that as presently amended, all of the pending claims are believed to be allowable over all of the references of record, whether considered singly or in combination.

Applicant requests reconsideration and withdrawal of the rejection of record, and allowance of the pending claims.

If the Examiner is not fully convinced of all of the claims now in the application, applicant respectfully requests that the Examiner telephonically contact applicant's undersigned representative to expeditiously resolve any remaining issues in the prosecution of the application.

The Commissioner is hereby authorized to charge the \$88.00 fee for one independent claim in excess of three to Deposit Account 50-0744 in the name of Carrier, Blackman & Associates, P.C.

A duplicate copy of this sheet is enclosed.

Favorable consideration is respectfully requested.

Respectfully submitted,



William D. Blackman
Attorney for Applicant
Registration No. 32,397
(248) 344-4422

Customer No. 21828
Carrier, Blackman & Associates, P.C.
24101 Novi Road, Suite 100
Novi, Michigan 48375
October 19, 2004

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted, via facsimile, to Examining Group 3617 of the United States Patent and Trademark Office on October 19, 2004, at the number (703) 872-9306.

WDB/kmm

